

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division**

**KIRAN KUMAR YERAKALI,**

Plaintiff,

v.

Civil Action No. **3:20CV641**

**WILLIAM P. BARR, et al.,**

Defendants.

**MEMORANDUM OPINION**

Plaintiff, a former federal detainee proceeding *pro se* and *in forma pauperis*, filed this civil rights action. In order to state a viable claim under *Bivens*,<sup>1</sup> a plaintiff must allege that a person acting under color of federal authority deprived him or her of a constitutional right or of a right conferred by a law of the United States. *See Williams v. Burgess*, No. 3:09cv115, 2010 WL 1957105, at \*2 (E.D. Va. May 13, 2010) (citing *Goldstein v. Moatz*, 364 F.3d 205, 210 n.8 (4th Cir. 2004)). Plaintiff's current allegations fail to provide each defendant with fair notice of the facts and legal basis upon which his or her liability rests. *See Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 555 (2007) (quoting *Conley v. Gibson*, 355 U.S. 41, 47 (1957)). Accordingly, by Memorandum Order entered on May 4, 2021, the Court directed Plaintiff to submit a particularized complaint within fourteen (14) days of the date of entry thereof. The Court warned Plaintiff that the failure to submit the particularized complaint would result in the dismissal of the action.

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<sup>1</sup> *Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics*, 403 U.S. 388 (1971).

More than fourteen (14) days have elapsed since the entry of the May 4, 2021 Memorandum Order. Plaintiff failed to submit a particularized complaint or otherwise respond to the May 4, 2021 Memorandum Order. Accordingly, the action will be DISMISSED WITHOUT PREJUDICE.

An appropriate order will accompany this Memorandum Opinion.

Date: June 16, 2021  
Richmond, Virginia

/s/   
M. Hannah Lauck  
United States District Judge